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September 16, 2011

**VIA ECF**

Magistrate Judge Roanne L. Mann  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Lujan et al. v. Cabana Mgmt., Inc. et al.*, 10-cv-00755 (ILG) (RLM)

Dear Judge Mann:

This firm is legal counsel to the Plaintiff and a collective class in the above-referenced wage and hour action. In furtherance of your directions, the parties met and conferred again this week to further discuss the possibility of settlement. Despite continued good faith efforts, we are still unable to reconcile certain substantive issues. Defendants' counsel has made a number of new proposals that I and members of my staff intend to review in the coming week.

With respect to the remaining motions, the parties have reconciled the following proposed dates:

- A. Defendants' motion to strike certain declarations in support of class certification: plaintiffs' opposition due September 26, 2011, defendants' reply due October 5, 2011.
- B. Plaintiffs' motion to strike certain declarations in support of decertification and in opposition to class certification: plaintiffs motion by October 5, 2011, defendants' opposition by October 19, 2011, plaintiffs' reply by October 28, 2011.



We respectfully request that the Court allow us to carry the motion dates out a little longer in contemplation of the upcoming religious holidays. In the meantime, Mr. Weiner and I have agreed to continue to keep lines of communication open in an effort to settle this matter.

Thank you.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
Lloyd R. Ambinder

cc: Douglas Weiner, Esq. (via ECF)